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- (b) selecting
 - (i) a desired collaboration type
 - (ii) from among a plurality of collaboration types,
 - (1) including data conferencing, videoconferencing, telephone conferencing, the sending of faxes and the sending of multimedia mail messages; and
 - (c) producing signals
 - (i) representative of the selected collaboration type; and
 - (d) switching produced signals
 - (i) between the participants
 - (ii) to establish communication
 - (1) of the selected type,
 - (2) with the selected participant(s).
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REMARKS

In the January 22, 1998 Office Action, various claims were rejected. In response to the Office Action, but not necessarily prompted by the prior art, Applicants submit the following amendments.

Claims 2 to 28 have been cancelled and rewritten in improved form as claims 29 to 52. In addition new independent claims 53 and 54 are submitted. These are copies of independent claims 29 and 42 with a further limitation to a "server less," system patentably distinct from the

Ahuja reference cited in the Office Action. These amendments and claims 53 and 54, in particular, were discussed with the Examiner on May 14, 1998.

As apparent from the discussion below, the rejection of claims 2 to 28 (now rewritten as claims 29 to 52) is overcome by an affidavit of prior invention under 37 C.F.R. 1.131. Such affidavit only applies to these claims 29 to 52. Claims 53 to 54 containing the limitation to a serverless system, are addressed by discussion below.

Claim Objections

In the Office Action claim 8 was objected to because "the phrase any one of the group consisting of" is repeated on lines 2 and 3. Appropriate correction was made when this claim was partially copied.

Claim Rejections

In the Office Action, the Examiner rejected the claims as follows:

Claim Rejections – 35 USC § 102

5. Claims 2, 8, 9, 13, 18, 22 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Ahuja et al., US Patent 5,471,318.

As to claims 2, Ahuja discloses a teleconferencing system for conducting a teleconference among a plurality of participants (See Abstract) comprising:

a plurality of workstations each having monitors for displaying visual images (Fig. 2, #s 12 and 14. The workstations would inherently have monitors. See also, Col. 4, lines 43-44); and associated AV capture and reproduction capabilities for capturing and reproducing Video images and spoken audio of the participants (Fig. 1, #s 22 16, 12 and 14, Col. 4, lines 1-5 and lines 29-33); and

a common collaboration initiator for initiating a plurality of types of collaboration among the plurality of participants (Fig. 2, #s 28 and 38, and Col. 9, lines 61-66), the types of collaboration being selected from the set consisting of data conferencing (Fig. 1, Data Server, Fig. 2, #s 30, 40 and 50, and Col. 4, lines 20-28), videoconferencing (Fig. 1, Video Server, Fig. 2, #s 32, 42 and 54, and Col. 4, lines 28-33), telephone conferencing (Fig. 1, #22 and Audio Server, and Col. 4, lines 35-38), the sending of faxes (Fig. 1, #20 and Col. 4, lines 47-49) and the sending of multimedia mail messages (e-mails are well known applications. Col. 4, lines 20-24), the common collaboration initiator including:

a callee selector for selecting one or more desired participants from among a plurality of potential participants (Col. 9, lines 45-55 and Col. 7, lines 57-61); and

a collaboration type selector for selecting a desired collaboration type from among the plurality of collaboration type (Col. 9, lines 55-61).

As to claim 8, Ahuja further discloses that the collaboration initiator can be invoked by a combination of any one of the group consisting of (Col. 9, lines 61-66): a user action for selecting each of the desired participant (Col. 9, lines 45-55), a user action for selecting the desired collaboration type (Col. 9, lines 55-57), and if the desired collaboration type is not videoconferencing or telephone conferencing, additional user action for selecting information to be sent to at least one of the desired participant (Col. 9, 55-61 and Col. 4, lines 16-24).

As to claim 9, Ahuja further discloses that the initiator can be invoked by a user action for selecting a desired participant and a default collaboration type (Col. 9, lines 45-66).

As to claim 13, Ahuja further discloses a teleconferencing manager for managing a teleconference among the plurality of participants (Fig. 2, #48 and Col. 5, lines 18-30), and allowing at least one of the participants access to at least one multimedia service for providing audio and video signals to be reproduced at the workstation of another of the participants for receiving Video images and spoken audio of the other participant (Col. 3, lines 30-55).

As to claims 18, 22 and 25, these claims are similar in scope as claims 2, 9 and 13, and are rejected for the same reasons provided above.

These claims have been cancelled and reworded in the claims set of claims 29 to 52. The patentability of this new claim set is addressed by filing an affidavit under 37 C.F.R. 1.131. This affidavit negates Ahuja as a reference and these claims are, it is submitted, now patentable over Ahuja.

The remaining claims have been rejected as follows as being obvious in light of Ahuja.

Claim Rejections – 35 USC § 103

7. Claims 3, 4, 6, 7 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ahuja et al** in view of **Palmer et al.**, US Patent 5,608,653 and in view of **Baumgartner et al.**, US Patent, 5,195,086.

As to claims 3 and 19, Ahuja teaches the invention substantially as claimed as explained above in connection with rejection of claim 2.

Ahuja does not explicitly teach a participant selector for selecting a participant from a first set of potential participant and a second set which is a subset of the first set.

Both Palmer and Baumgartner teach teleconferencing systems (See Titles) in which a directory of potential participants is provided (See Baumgartner, Fig. 18 and Col. 18, lines 57-62, and Palmer, Fig. 20 and Col. 18, lines 21-42). Examiner takes notice that it is well known in the art to have a sub-directory structure in which a global list of potential callees is divided into sub-directories of groups of callees, such as a personal folder in address book of typical e-mail applications.

As to claims 4 and 20, Palmer further teaches a list of callees listed by the names (Palmer, Fig. 20 and Col. 18, lines 21-42) while Baumgartner teaches a directory which shows the icons representing the potential callees (Fig. 18 and Col. 18, lines 57-62).

As to claim 6, Palmer teaches a GUI with collaboration type selector buttons (Col. 15, line 61 – Col. 18, line 64, See particularly Col. 18, lines 43-64).

As to claim 7, It would be an obvious design choice to place both main and the sublist on the same window.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the user interface having the directory feature as taught by Palmer and Baumgartner with the multi-media conferencing system taught by Ahuja in order to provide convenient means for selecting the desired callee.

8. Claims 10-12, 14-17 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja et al. in view of Palmer et al., US Patent 5,608,653.

As to claims 10, 11, 23 and 24, Ahuja teaches the invention substantially as claimed as explained above in connection with rejection of claim 2.

Ahuja does not explicitly teach an incoming call handling mechanism for handling an attempt by a third participant to join an existing conference between first and second participants, and a call acceptance mechanism for adding the third participant to the conference.

Palmer teaches a teleconference system (See Title) where a mechanism is provided for acknowledging and attempt by a third participant to join, and a mechanism to allow the third participant to join the existing conference (See Figs 5A, 5B, and 5C, and Col. 9, lines 11-49).

As to claim 12, Palmer further teaches that up to seven participants can be added in a conference (Col. 2, lines 50-68).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the "joining" feature as taught by Palmer in the teleconferencing system taught by Ahuja in order to allow conferees to freely join an existing conference (See Ahuja, Col. 2, lines 9-11 and Col. 7, lines 5-9).

9. Claims 14, 15 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja et al. in view of Ahuja et al. as applied to claims 2 and 9 above, and further in view of Vin et al., "Hierarchical Conferencing Architectures for Inter-Group Multimedia Collaboration", 1991 (cited by the Applicant).

Ahuja et al teaches the invention substantially as claimed, as explained above in connection with rejections of claim 2.

Ahuja et al does not explicitly teach a call selector enabling a participant to selection N, the maximum number of calls supported by the AV manager, calls from M possible calls.

Vin et al. teaches that there is a maximum number of participants, N, which the system can support before the system performance deteriorates, and thus the number of participants should be limited as to not to exceed N (Para. 4.1 and 5.1). It follows, then, that there should be means to limit the number of participant when request to participate exceed N, and that the decision should be made by someone, such as the presenter (Fig. 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a mans to limit the maximum number of participants as taught by Vin et al. in the teleconferencing system taught by Ahuja in order to avoid performance degradation of the system.

10. Claims 16, 17, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja et al in view of Bales et al., US Patent 5,373,549.

Ahuja et al. teaches the invention substantially as claimed as explained above in connection with rejections of claim 2.

Ahuja et al. does not explicitly teach the hod selection mechanism or the disconnection mechanism.

Bales teaches a teleconference system in which a participants disconnect (Col. 8, lines 3-40) or put on hold (Fig. 15, # 1524, 1525, 1526 and 1527 and Col. 9, lines 18-39, Col. 9, lines 60-Col. 10, line 3), a participant (See also Abstract, Figs. 5, 10 and 11).

Most of the above claims are reflected in the new claim set of claims 29 to 52. As with the § 102 rejection above, the primary reference Ahuja is overcome by filing the Rule 131 affidavit.

Ahuja, therefore, fails as a primary reference and so does the obviousness rejection above.

New Claims

Furthermore, the Examiner may now wish to apply rejections similar to those above to new independent claims 53 and 54. This will, however, fail for the following reasons:

These new claims contain a limitation to “switching” the conferencing signals between work conferencing stations. Such a system is not possible to construct from Ahuja.

The Ahuja system is based on a “virtual conference room” approach. To conduct a conference, servers for different media (voice, audio and data) must be associated with the conference room (See Col. 3 lines 30-55, Col. 7 lines 21-65, Fig. 1 and Fig. 5). These servers (data server 50, video server 54 and audio server 58) “Essentially act as bridging circuits for combining the respective media outputs of the conference participants and directing at selected ones of those outputs to participants on appropriate communication powers.” Col. 7, lines 62 to 65. Thus, the Ahuja configuration is a multiple server, virtual conference room, “bridging – based” system. In Ahuja, all communications between participants must go through these servers. This interpretation does not change when reading Ahuja, Col. 12, lines 15 to 50.

As discussed with the Examiner, this Ahuja system is, therefore, incompatible with a switching based (serverless) system as claimed in these two new independent claims.

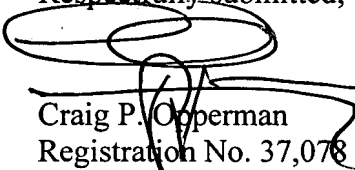
Ahuja can, therefore, not stand as a primary reference and, it is submitted the secondary references do not clear this deficiency.

In this regard, the Examiner is reminded that the MPEP specifically states that "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Ex parte Clapp , 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985)."¹ This burden has can not be met based on Ahuja or any other reference.

CONCLUSION

For the reasons provided above, Applicants respectfully submit that this application is allowable.

Respectfully submitted,


Craig P. Opperman
Registration No. 37,078

Cooley Godward LLP
(650) 843-5115 (tel.)
(650) 857-0663 (fax)

¹ MPEP § 706.02(j)